



04-12-04

Docket No.: (50531) 60590

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gerald Sugerman  
Serial No. : 09/581,781  
Filed : June 17, 2000  
Title : Low Environmental Toxicity Latex Coatings

Art Unit : 1614  
Examiner : Dwayne Jones

**MAIL STOP DAC**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

APR 14 2004

**OFFICE OF PETITIONS**

PETITION TO REVIVE APPLICATION UNDER 37 CFR §1.137(b)

Applicant hereby petitions under 37 CFR §1.137(b) to revive the above application, which was abandoned on August 8, 2002 for failure to respond to the Non-final Office Action mailed December 28, 2001.

Enclosed is: 1) a proposed response to the Non-final Office Action mailed December 28, 2001 to continue prosecution of the application; and 2) a check for \$665 in payment of the petition fee by a small entity as set forth in 37 CFR §1.17(m).

Assignee of the above-identified application is VOCFREE, Inc. by virtue of being a successor-in-interest of PPA Technologies, Inc., to which the listed inventor, Gerald Sugerman, assigned the entire right, title and interest in the above-identified application by an Assignment dated May 6, 1995 to PPA Technologies, Inc. and an Employment Agreement dated May 6, 1995 with PPA Technologies, Inc. A copy of a Confirmatory Assignment from inventor Gerald Sugerman to VOCFREE, Inc. is attached hereto. Assignee VOCFREE, Inc. was not informed by either attorney-of-record Roger L. Fidler, or by applicant Gerald Sugerman of the abandoned status of this application. Assignee VOCFREE, Inc. did not comprehend the abandoned status of this application until assignee VOCFREE, Inc.'s undersigned representative was made aware of the status after inquiry at the request of assignee VOCFREE, Inc., on or about November 2003. Assignee VOCFREE, Inc. and their undersigned representative have since worked to ascertain and obtain the necessary documentation to support this petition.

Applicant submits that the entire period of delay was unintentional.

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665.00 OP

Please apply any other charges or credits to Deposit Account No. 04-1105, referencing attorney docket number 50531-60590.

Respectfully submitted,

Date: April 8, 2004

Jeffrey D. Hsi  
Reg. No. 40,024

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**CONFIRMATORY ASSIGNMENT**

WHEREAS, I, **Gerald SUGERMAN**, inventor, and a citizen of the United States of America, (hereinafter referred to as "Assignors"), have invented certain new and useful improvements in "**LOW ENVIRONMENTAL TOXICITY LATEX COATINGS**", for which an application for United States Letters Patent with the same title, application Serial Number 09/581,781, has been filed with the United States Patent and Trademark Office, and as described in PCT Application No. **PCT/US97/24224** filed on **19 December 1997**;

WHEREAS, **VOCFREE, INC.**, having a principle place of business at **163 South Street, Hackensack, NJ 07601** (hereinafter referred to as the "Assignee"), directly and as successor in interest to PPA Technologies, Inc., was previously granted all right, title and interest in the aforementioned patent applications and technology described therein, and is further desirous of confirming the acquiring of the entire right, title and interest in and to this invention, and in and to the said application, and any Letters Patent that may issue thereon;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for and in consideration of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest for the United States in and to the said invention and in and to the said applications and all patents which may be granted therefore, and all divisions, reissues, substitutions, continuations, in whole or in part, re-examinations, and extensions thereof, and all applications claiming priority therefrom; and the Assignors hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said inventions, or patents resulting therefrom, insofar as their interest is concerned, to the Assignee; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.


The Assignors also have sold, assigned, and transferred, and do hereby sell, assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest in and to the invention disclosed in said applications, in all countries of the world foreign to the United States, including the right to file applications and obtain patents for said inventions in its own name in said countries and including all rights of priority in said countries under the terms of any applicable international convention; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.

The Assignors further agree to execute any and all patent applications, assignments, affidavits, and any other papers in connection therewith necessary to perfect such patent rights, and also agree, at the request of the Assignee, to testify in any legal proceedings, sign all lawful papers, make all lawful oaths, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain, maintain and enforce patent protection for said invention in all countries.

The Assignors also hereby grant the law firm of EDWARDS & ANGELL LLP the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this documents.

IN WITNESS WHEREOF, the Assignors have caused this Assignment to be executed.

Dated this 17<sup>th</sup> day of February, 2007.

  
Gerald SUGERMAN

Notary Public

2-17-07  
(Date)

Rosa Turano  
Notary Public  
Commission Expires 01 14 07

